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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,766	09/29/2003	Kazuhiro Yokoo	Q77554	7546
23373	7590	12/12/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			NAKARANI, DHIRAJLAL S	
			ART UNIT	PAPER NUMBER
			1773	

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/671,766

Applicant(s)

YOKOO ET AL.

Examiner

D. S. Nakarani

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5,7 and 8 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-5,7 and 8 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on: \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-5, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tadokoro et al (U. S. Patent 6,444,298 B1) in view of Kanzaki et al (U. S. Patent 6,376,066 B1) for the reasons of record set forth in paragraph 3 of the Office Action mailed June 7, 2005 (Paper Number 20050516).
3. Applicant's arguments filed October 5, 2005 have been fully considered but they are not persuasive. In reference to rejection of claims 1-8 under 35 U.S.C. 103(a) as being unpatentable over Tadokoro et al (U. S. Patent 6,444,298 B1) in view of Kanzaki et al (U. S. Patent 6,376,066 B1), applicants mainly argue that Tadokoro et al disclose an acrylic resin laminated film including a layer comprising an acrylic resin composition containing an acrylic resin and acrylic rubber particles and a layer comprising an acrylic resin containing no impact-resistant material. Tadokoro et al, however, fails to disclose or suggest a cured layer containing a curable coating which contains a compound having at least three (meth)acryloyloxy groups in its molecule or an oligomer thereof. Also, Tadokoro et al fails to disclose or suggest use of the resin laminated film as a protective sheet in a display window of a portable-type information terminal. Kanzaki et al disclose a transparent substrate coated with an antistatic layer formed by

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photocuring a composition comprising (A) a photocurable material comprising a (meth)acrylate having at least one hydroxyl group and two or more (meth)acryloyl groups in a molecule, (B) conductive zinc antimonate and (C) a photopolymerization initiator. Kanzaki et al also discloses use of the transparent antistatic layer-coated substrate as a display material, a cover material at the front face of display apparatuses and the like. Kanzaki et al, however, fails to disclose or suggest at least a methacryl resin layer containing a rubber particles dispersed therein. Kanzaki et al also fails to disclose or suggest use of the transparent antistatic layer coated substrate in a display window of a portable-type information terminal. In comparison, the film of the present invention comprises: (i) a methacryl resin layer containing a rubber particle dispersed therein; and (ii) a cured layer containing a curable coating which contains a compound having at least three (meth)acryloyloxy groups in its molecule or an oligomer thereof. By using layer (ii), a high scratch resistance is obtained for a protecting sheet in a display window of a portable-type information terminal (such as a portable phone and a personal digital assistant). Also, by combining layers (i) and (ii), a thin thickness and a high scratch resistance of the film are both attained at the same time, while sufficiently high scratch resistance in a thin, small form is especially needed when the film serves as the protecting sheet in the portable-type information terminal. It is difficult to attain such a high scratch resistance for a small, thin protecting sheet in a portable-type information terminal if, for example, a curable material comprising a (meth)acrylate having two (meth)acryloyl groups in a molecule is utilized, as taught in Kanzaki et al.

These arguments are unpersuasive because both, Tadokoro et al and Kanzaki et al, suggest use of acrylic resin transparent film as light transmitting materials for electric appliances. Kanzaki et al's film is used for display material. Kanzaki et al's coating composition given in Examples have epoxy-based acrylate/trimethylolpropane triacrylate = 40%/60% by weight (Col. 8, lines 11-13 and Tables 1-6). Furthermore, the invention as claimed does not require any scratch resistance as argued. Also there is no showing that Kanzaki et al's coating does not have required scratch resistance. The invention as claimed is not directed to a display window of a portable-type information terminal. The phrase "for a display window of a portable-type information terminal" in claim 8, is considered as an intended use of the film.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. S. Nakarani whose telephone number is (571) 272-1512. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney can be reached on (571) 272-1284. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**D. S. Nakarani**  
**Primary Examiner**  
**Art Unit 1773**

Dsn  
December 6, 2005.